

REMARKS

In the Office Action,¹ the Examiner rejected claims 2, 6-9, 13-15, and 18-23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,212,643 to Yoshida ("Yoshida") in view of U.S. Patent No. 5,945,927 to Nakayama et al. ("Nakayama"); and rejected claims 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Yoshida in view of Nakayama, and further in view of U.S. Patent No. 6,012,014 to Koyanagi et al. ("Koyanagi").

Applicants propose to amend claims 2 and 9. Upon entry of this amendment, claims 2, 6-9, and 13-23 would remain pending and under examination.

Applicants respectfully traverse the rejections of claims 2, 6-9, 13-15, and 18-23 under 35 U.S. C. § 103(a). A *prima facie* case of obviousness has not been established at least because the differences between the prior art and Applicants' claims are such that it would not have been obvious for one of ordinary skill in the art at the time of the invention to modify the prior art to arrive at Applicants' claimed invention.

Independent claim 2, as proposed to be amended, recites an electronic map apparatus comprising a microcomputer that "selectively displays the perspective view on the display device, wherein in the perspective view, the arc of the equidistant curve is displayed as a border between two adjacent colors on the basis of the arc's display data being superimposed on the map, the arc being made more visible by highlighting the arc or by shadowing the arc" (emphasis added). None of Yoshida, Nakayama, and Koyanagi, taken individually or in combination, teaches or suggests the claimed microcomputer.

¹ The Final Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

The Examiner relies on Nakayama as allegedly disclosing a “map being displayed with different areas, between concentric lines, being represented with different colors.” Final Office Action at 4-5. However, even assuming Nakayama discloses different colors between concentric lines, Nakayama does not teach or suggest “highlighting the arc or shadowing the arc,” as recited by claim 2 (emphasis added). In Nakayama, “the display color of the grid lines is the same as that of a road . . . Therefore, the streets displayed in gray are hidden in the grid line” and “the streets placed remotely from the present position are substantially hidden in the grid line and cannot clearly be viewed.” Nakayama, 13:27-40; 14:38-45 (emphasis added). Nakayama therefore discloses blending the grid lines with a road, making the two indistinguishable, not making “the arc . . . more clearly visible by highlighting the arc or by shadowing the arc,” as recited by claim 2. Nakayama also discloses that a “display color of the grid line may be different from that of the rank of road . . .” Nakayama, 14:47-51. However, simply using a different color for a grid line does not constitute a teaching or suggestion of “highlighting the arc or . . . shadowing the arc,” as recited by claim 2.

Yoshida and Koyanagi fail to cure the deficiencies of Nakayama, nor does the Examiner rely on Yoshida and Koyanagi for such teachings.

Independent claim 9, although of different scope than claim 2, patentably distinguishes from the cited references for at least the same reasons as claim 2. Claims 6-8 and 13-23 depend from independent claims 2 or 9 and therefore also patentably distinguish from the cited references for at least the same reasons as claim 2.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejections of claims 2, 6-9, and 13-23 under § 103(a).

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 2, 6-9, and 13-23 in condition for allowance. Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.


In view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Nathan A. Sloan
Reg. No. 56,249
404.953.6464